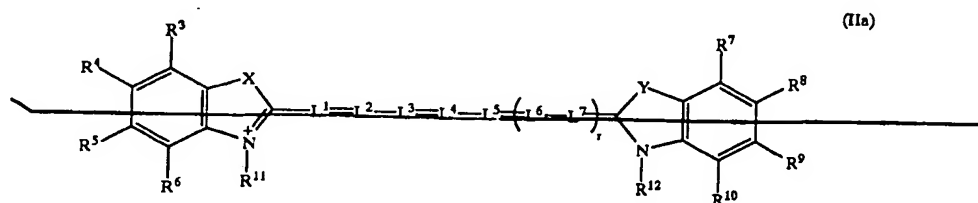


# AMENDMENTS TO THE SPECIFICATION:

*Please amend the paragraph starting on page 9, line 6, as follows:*

Antibody-dye conjugates that comprise near-infrared dyes are, for example, those from the following classes:

polymethine dyes, such as dicarbocyanine, tricarbocyanine, merocyanine and oxonol dyes (WO 96/17628, which is incorporated by reference, teaches cyanine dyes of formula IIa



wherein

$r$  represents the numbers 0, 1 or 2, on condition that, for  $r=2$ , the respective fragments  $L^6$  and  $L^7$  that occur in duplicate may be same or different,

$L^1$  to  $L^7$  are same or different, each independently representing a fragment CH or CR,

where

$R$  is a halogen atom, a hydroxy, carboxy, acetoxy, amino, nitro, cyano or sulfonic acid group or an alkyl, alkenyl, hydroxyalkyl, carboxyalkyl, alkoxy, alkoxy carbonyl, sulfoalkyl, alkylamino, dialkylamino or halogenalkyl residue containing up to 6 carbon atoms, an aryl, alkylaryl hydroxyaryl, carboxyaryl, sulfoaryl, arylamino, diarylamino, nitroaryl or halogenaryl residue containing up to 9 carbon atoms, or where  $R$  represents a bond that bonds to another residue  $R$  and forms a 4- to 6-member ring together with the interspersed residues  $L^1$  to  $L^7$ ,

~~or where R represents one bond, respectively, at two different positions that are linked via a CO fragment,~~

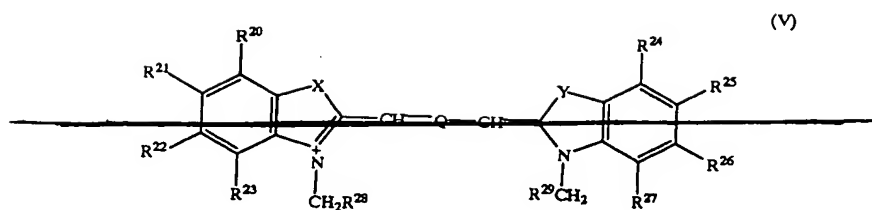
~~R<sup>3</sup> to R<sup>12</sup> — are same or different, each independently representing a hydrogen atom, a residue B or W (where B is a biological detecting unit having a molecular weight of up to 30,000 that bonds to specific cell populations or selectively to receptors, or accumulates in tissues or tumours, or generally stays in the blood, or is a macromolecule that bonds non-selectively, and W represents a hydrophilic group that improves water solubility, with the n-octanol-water distribution coefficient of the compound according to formula I being less than or equal to 2.0 for l=0,) or an alkyl or alkenyl residue containing up to 6 carbon atoms or an aryl or aralkyl residue containing up to 9 carbon atoms, said alkyl, alkenyl, aryl or aralkyl residue optionally carrying an additional residue W as defined above, or to each pair of adjacent residues R<sup>3</sup> to R<sup>10</sup> are annealed 5- to 6-member rings that may be saturated, unsaturated or aromatic, and that may optionally carry an additional residue R as defined above, with due regard for the interspersed C atoms,~~

~~X and Y — are same or different, each independently representing an O, S, Se or Te or a C(CH<sub>3</sub>)<sub>2</sub>, CH=CH or CR<sup>13</sup>R<sup>14</sup> fragment,~~

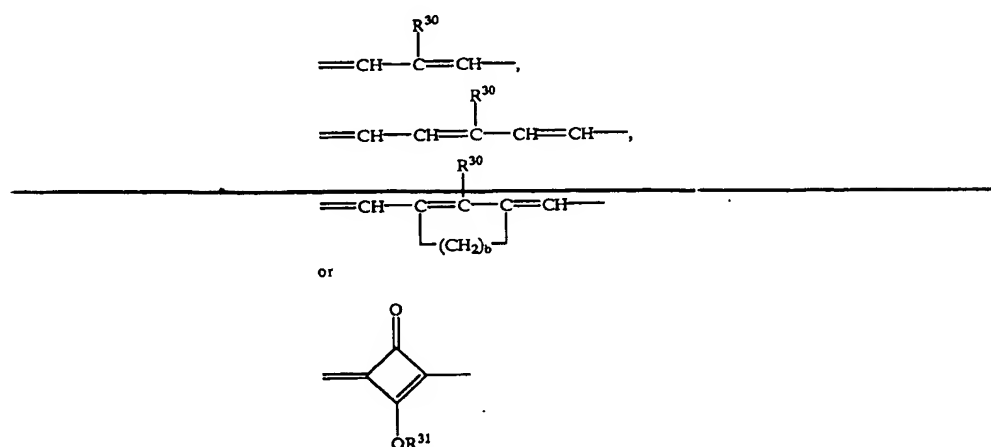
~~where~~

~~R<sup>13</sup> and R<sup>14</sup> — independently represent a hydrogen atom, a residue B or W as defined above, or an alkyl or alkenyl residue containing up to 6 carbon atoms or an aryl or aralkyl residue containing up to 9 carbon atoms, the alkyl, alkenyl, aryl or aralkyl residue optionally carrying an additional residue W as defined above;~~

~~and teaches cyanine dyes of formula V~~



where Q represents a fragment



where

$R^{30}$  represents a hydrogen atom, a hydroxy group, a carboxy group, an alkoxy residue containing 1 to 4 carbon atoms or a chlorine atom, b is an integer (2 or 3),  $R^{31}$  represents a hydrogen atom or an alkyl residue containing 1 to 4 carbon atoms;

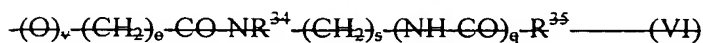
X and Y independently represent an O, S, CH=CH or  $C(CH_2R^{32})(CH_2R^{33})$  fragment each;

$R^{20}$  to  $R^{29}$ ;

$R^{32}$  and  $R^{33}$  independently represent a hydrogen atom, a hydroxy group, a carboxy, a sulfonic acid residue or a carboxyalkyl, alkoxycarbonyl or alkoxyoxoalkyl residue containing up to 10 C atoms or a sulfoalkyl residue containing up to 4

C atoms,

or a non-selectively bonding macromolecule or a residue of the general formula VI



on the condition that, where X and Y are O, S, CH=CH or C(CH<sub>2</sub>)<sub>2</sub>, at least one of the residues R<sup>20</sup> to R<sup>29</sup> corresponds to a non-selectively bonding macromolecule or a compound of the general formula VI,

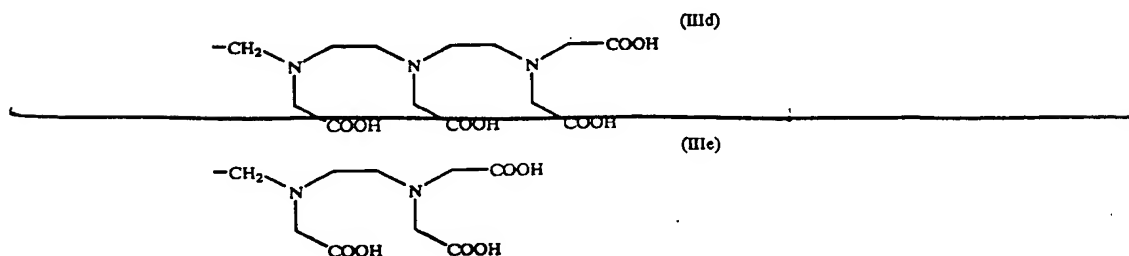
where

o and s equal 0 or independently represent an integer between 1 and 6,

q and v independently represent 0 or 1,

R<sup>34</sup> represents a hydrogen atom or a methyl residue,

R<sup>35</sup> represents an alkyl residue containing 3 to 6 C atoms and comprising 2 to n-1 hydroxy groups, with n being the number of C atoms, or an alkyl residue containing 1 to 6 C atoms that carries 1 to 3 additional carboxy groups, an aryl residue containing 6 to 9 C atoms or arylalkyl residue containing 7 to 15 C atoms, or a residue of the general formula III d or III e

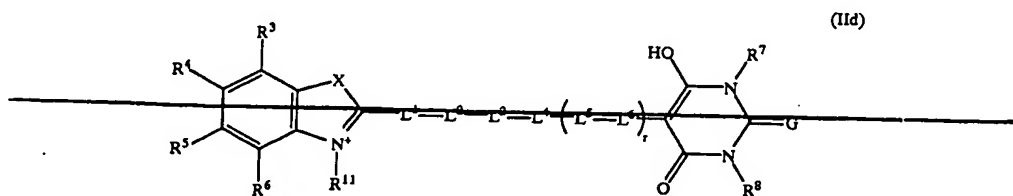


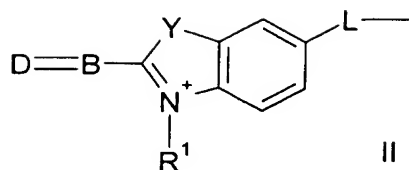
on the condition that q is 1,

or a non-selectively bonding macromolecule,

$R^{20}$  and  $R^{21}$ ,  $R^{21}$  and  $R^{22}$ ,  $R^{22}$  and  $R^{23}$ ,  $R^{23}$  and  $R^{24}$ ,  $R^{24}$  and  $R^{25}$ ,  $R^{25}$  and  $R^{26}$ ,  $R^{26}$  and  $R^{27}$ , together with the interspersed carbon atoms, form a 5- or 6-member aromatic or saturated annelled ring, as well as their physiologically tolerable salts;

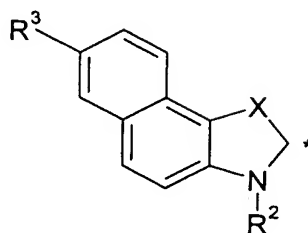
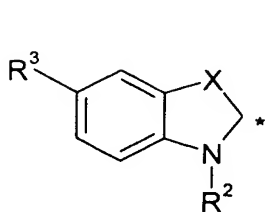
and teaches merocyanine dyes of formula II d





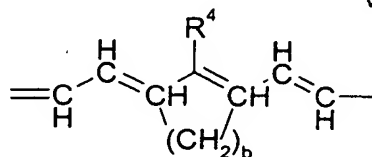
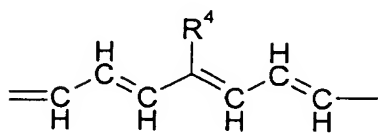
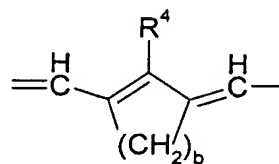
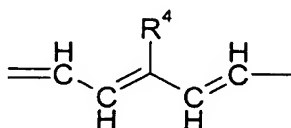
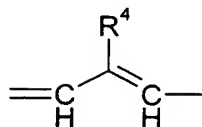
in which

D stands for a radical III or IV



whereby the position labeled with a star means the interface site with radical B, and

B can stand for group V, VI, VII, VIII or IX



in which

R¹ and R² mean C₁-C₄ sulfoalkyl, a saturated or unsaturated, branched or linear C₁-C₅₀ alkyl chain, which optionally can be substituted with up to 15 oxygen atoms, and/or with up to 3 carbonyl groups, and/or with up to 5 hydroxy groups,

R³ stands for group -COOE¹, -CONE¹E², -NHCOE¹, -NHCONHE¹,

$-\text{NE}^1\text{E}^2$ ,  $-\text{OE}^1$ ,  $-\text{OSO}_3\text{E}^1$ ,  $-\text{SO}_3\text{E}^1$ ,  $-\text{SO}_2\text{NHE}^1$  or  $-\text{E}^1$ , whereby

$\text{E}^1$  and  $\text{E}^2$ , independently of one another, stand for a hydrogen atom,  $\text{C}_1$ - $\text{C}_4$  sulfoalkyl, saturated or unsaturated, branched or straight-chain  $\text{C}_1$ - $\text{C}_{50}$  alkyl, which optionally is interrupted with up to 15 oxygen atoms, and/or up to 3 carbonyl groups, and/or can be substituted with up to 5 hydroxy groups,

$\text{R}^4$  stands for a hydrogen atom or a fluorine, chlorine, bromine or iodine atom,

$b$  stands for 2 or 3,

~~X and Y, stand~~ stands for oxygen, sulfur or the group  $=\text{C}(\text{CH}_3)_2$  or  $-(\text{CH}=\text{CH})-$ ,

Y stands for  $=\text{C}(\text{CH}_3)_2$ , and

$\text{L}$  stands for a direct bond or a linker, which is a straight-chain or branched carbon chain with up to 20 carbon atoms, which can be substituted with one or more  $-\text{OH}$ ,  $-\text{COOH}$ , or  $\text{SO}_3$  groups and/or optionally can be interrupted in one or more places by an  $-\text{O}-$ ,  $-\text{S}-$ ,  $-\text{CO}-$ ,  $-\text{CS}-$ ,  $-\text{CONH}-$ ,  $-\text{NHCO}-$ ,  $-\text{NHCSNH}-$ ,  $-\text{SO}_2-$ ,  $\text{PO}_4-$  or an  $-\text{NH}$  group or an aryl ring.